

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 11 through 20 are pending, with Claims 11, 13, 16, and 18 being independent. Claims 1 through 3 and 5 through 10 have been cancelled. Claims 11 through 20 have been added.

### 4<sup>th</sup> REQUEST FOR RETURN OF FORM PTO-1449

**Applicants yet again respectfully request return of the Form PTO-1449 from the January 11, 2005 Corrected Information Disclosure Statement.**

### FURTHER REMARKS

Claims 1 through 3 and 5 through 10 again were variously rejected under 35 U.S.C. § 103 over US 2002/0044152 A1 (Abbot, III, et al.), taken alone or in view of US 2003/0032876 A1 (Chen). All rejections are respectfully traversed.

Claims 11, 13, 16, and 18 variously recite, *inter alia*, determining an image elimination region over which the computer graphics image is not to be superimposed, based on (a) the closed region (within the region having the particular color) and (b) the position and orientation information.

However, Applicants respectfully submit that neither Abbott, III, et al. nor Chen, even in the proposed combination, assuming, arguendo, that such could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 11, 13, 16, and 18. Applicants respectfully submit that Abbott, III, et al. merely shows, e.g., detecting a whole *virtual object* as an elimination area, i.e., it can change a position, transparency or size of an image of a whole *virtual object* designated by a user (such as a compass 600 in Fig. 6), and the Official Action acknowledges that Abbott, III, et al. is deficient vis-a-vis the claims; accordingly, the Official Action relies upon Chen, and

in particular upon Figs. 6 and 7 thereof. Applicants respectfully traverse such reliance. Applicants respectfully submit that Chen merely shows, e.g., slicing away portions of the virtual image to expose virtual planning markers, or fading away some or all of the virtual image to expose the virtual planning markers (e.g., [0066]; i.e., the virtual planning markers 25 are not extracted), and Applicants respectfully submit that either slicing away or fading away an occluding virtual image in order that an occluded portion can be seen is technically completely different from the above-discussed claimed features.

Applicants further respectfully submit that there has been no showing of any indication of motivation in the cited documents to arrive at the above-discussed claimed features. By means of such features, Applicants respectfully submit that the present invention may, for example, allow a user to designate a desired close area intuitively using, for example, his hand (and the user can designate the image elimination area having a shape independent of a computer graphics image superimposed on the real world); of course, the claims are not limited to the disclosed embodiments.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/  
Daniel S. Glueck  
Attorney for Applicants  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

DSGfjr

FCIS\_WS 2311565v1